

Senate File 435

H-1359

1 Amend the amendment, H-1297, to Senate File 435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 24, after line 39 by inserting:
5 <Sec. _____. Section 6A.1, Code 2013, is amended to
6 read as follows:

7 **6A.1 Exercise of power by state.**

8 1. Proceedings may be instituted and maintained by
9 the state of Iowa, or for the use and benefit thereof,
10 for the condemnation of such private property as may be
11 necessary for any public improvement which the general
12 assembly has authorized to be undertaken by the state,
13 and for which an available appropriation has been made.
14 The executive council shall institute and maintain such
15 proceedings in case authority to so do be not otherwise
16 delegated.

17 2. a. As used in this subsection, "state moneys"
18 means moneys appropriated by the general assembly,
19 including but not limited to any such moneys which are
20 available to a state agency for any purpose.

21 b. Notwithstanding any provision of law to the
22 contrary, state moneys and state employees shall not be
23 used for the construction of a lake, including but not
24 limited to the acquisition of land for the lake, if all
25 of the following apply:

26 (1) The lake is to be used for boating, fishing,
27 swimming, or other recreational activity.

28 (2) The land is to be condemned under this chapter
29 and chapter 6B.

30 c. Paragraph "b" does not apply if the owner of
31 land consents to the condemnation.>

32 2. By renumbering, redesignating, and correcting
33 internal references as necessary.

KAUFMANN of Cedar

R. OLSON of Polk

JACOBY of Johnson